

Memorandum



Subject	Date
USA v. Ernesto Esparza et. al.	May 17, 2005

To From
Arthur Ross, Esq. Michael Kawahara
FAX: 521-4722 Assistant U.S. Attorney

As requested today, please find attached a copy of the Spanish handwritten letter which was received from Alvin Nishimura, your predecessor defense counsel. I also include an English translation thereof, which was accomplished by one of the HIDTA interpreters.

Please note that it has been impossible to determine who authored this letter. When interviewed about this letter by Postal Inspector Cynthia Blank on May 15, 2003, Esparza claimed the handwriting was that of co-defendant Jose Manuel Amarillas Ojeda. However, there is no independent proof establishing this. In addition, Esparza also advised that the letter was originally contained in an envelope which said "To Ernesto, From Jose", but that he (Esparza) threw the envelope away.

If you have any questions, please call me at 440-9220.

17 DE ABRIL DEL 2003

6:20 PM

Bueno Ernesto Con gusto le escribo
 Estas letras para Saludarlo y DESIRLE lo
 Siguiente. mire NETO Aguy supe que usted
 andaba diciendo que yo Era RATA; Pero yo
 No se porque dice eso; Mire Compa yo no lo
 Creo; Pero si es Ciento Pues quiero que
 Usted me lo diga Amy Solo; y en que manera
 tiene la Razón de decir eso; Mire Compa Yo
 Nunca he dicho Nada que alguna Cosa sea
 Suya; Simplemente lo que he dicho que yo no
 Se nada, y Esto y firmes. Pues yo no se que
 o pensado Usted; quiero que me conteste para
 el Sabado 19/04/03 que como mando decir que hara
 ablar a los 6:00 P.M. yo le Estuve ablando
 hasta las 6:15 y nunca contesto mire neto Pues
 Usted Sabe que todo Esta a su nombre y yo lo
 Miro que si usted dijera que yo no tengo nada
 que Ver en este Asunto Pues yo Saliera y
 Yo mismo le metiera un Buen licenciado y
 Asi Salieramos mas Pronto los Dos; y Tambien
 Yo Ayudara sus Niños y le estuviera mandando
 Para que Comiera mientras que Saliera Usted
 Yo se que si Usted dice que yo no tengo nada
 que Ver Pues Saliera al mejor de Bolada.
 Porque Usted Sabe que me agarraron manejando
 nada mas y si Uste quisiera yo Saliera.
 Porque todo Esta a su nombre Usted lo SABE.
 Pero Aunque yo sepa que esto a su nombre
 Nunca He Dicho que son de usted.
 lo que yo he dicho que yo no se nada que yo
 Trabajaba en el Papa Yd. Nada mas.

17 DE ABRIL DEL 2003

6:20 PM

Bueno Ernesto Con gusto le escribo
 Estas letras para Saludarlo y DESIRLE lo
 Siguiente. mire NETO Aguy supe que usted
 andaba diciendo que yo Era RATA; Pero yo
 NO se porque dice eso; Mire Compa yo no lo
 Creo; Pero si es Ciento Pues quiero que
 Usted me lo diga Amy Solo; y en que manera
 tiene la Razón de decir eso; Mire Compa Yo
 Nunca he dicho Nada que alguna Cosa sea
 Suya; Simplemente lo que he dicho que yo no
 Se nada, y Estoy firmes. Pues yo no se que
 o pensado Usted; quiero que me Conteste para
 el Sabado igual; que como mando decir que hara
 ablar a las 6:00 P.M. yo le estuve ablando
 hasta las 6:15 y nunca contesto; mire neto Pues
 Usted Sabe que todo Esta a su nombre y yo lo
 Miro que si usted dijera que yo no tengo nada
 que Ver en este Asunto. Pues yo Saliera y
 Yo mismo le metiera un Buen licenciado y
 Asi Salieramos mas Pronto los Dos y Tambien
 Yo Ayudara sus Niños y le estuviera mandand
 Para que Comiera mientras que Saliera Usted
 Yo se que si Usted dice que yo no tengo nada
 que Ver Pues Saliera al mejor de Bolada.
 Porque Usted Sabe que me agarraron manejando
 nada mas y si Uste quisiera yo Saliera.
 Porque todo Esta a su nombre Usted lo SABE.
 Pero Aunque yo sepa que esto a su nombre
 Nunca He Dicho que son de Usted.
 lo que yo he dicho que yo no se nada que yo
 Trabajaba en el Papaya. Nada mas.

DE NADA Sirve estar los — encerrados
 Pero Yo no sé que Pense yo Piensos eso
 que le dice que Saliera mejor Saliera mas dego elota
 Pienselo y Estudie lo que le Digo ADIOS.

Pero Como Usted quiere; Pero Yo Piensos
 que le Saliera mejor librandome yo Porque Asi
 Yo lo Ayudaria hasta que Saliera. Usted.

Pero haorito yo no se que Piense usted
 Pero yo estoy firmes Con usted y yo Piensos
 que es mi Amigo Pero no se que Piense Usted
 Pero si piensa que soy esa persona que
 Supe Aguy que Usted lo abia Dicho.

Pues eso si le digo que no able demas; Porque
 Si le quiere Asi Pues Ay TAMOS.

Disculpe que le digo esto Pero me dio much
 Coraje cuando Supe eso que Usted lo abia dicho
 Pues si no lo digo Disculpe NETO.

Bueno NETO Yo le Prometo que si usted
 me Ayudara A Salir yo tambien lo Ayudaria.
 A usted y Aquien Uste tenga ~~ab~~ Afuera.
 y quiera que les de la mano usted lo Sabe que
 soy Amigo de los Amigo. Pero si no quiere
 Pues tampoco me voy Asustar de estar
 Aguy. Pues Usted decide Pienselo y
 mandemolo decir que A Pensado. si estamnos
 los Dos Pues ni nos frenen juntos Pero
 Como quiera quiera; Pero quiera Saber que
 Piensa Usted.

Bueno NETO Disculpeme si no
 es cierto de lo que Supe Aguy.
 Pues me marca o Escribame para Saber
 Yo estoy en el CUARTO # 109. Voy a
 Esperar la llamada mañana Viernes A las
 6:00 P.M. En el Cuarto # 109. Se Despide
 su Amigo

17 of April, 2003 6:20 PM

Hello Ernesto, with happiness I am writing these letters to greet you and to tell you the following. Look Neto (note: Neto is short for Ernesto) I found out here that you were going around saying that I was a rat. But I don't know why you are saying that; look friend, I don't believe it but, if it is true, then I want you to tell me personally and the reason for saying that. Look friend, I never have said anything about anything being yours, in fact what I have said is that I know nothing and have been firmed to that. I don't know what you have been thinking, I want you to answer me (word is cut off) by Saturday; how can I let you know that today I called at 6:00 PM and I was calling you up until 6:15 and you never answered. Look Neto, you know that everything is under your name and I know that if you wish to I will have nothing to do with this matter. In fact I would go out and get you a good attorney and that way both of us would get out sooner; and I would also help out your sons and I would be sending them so they could eat until you would get out. I know that if you said that I had nothing to do with it I would get out real quick. Because you know that they caught me driving, nothing else and if you wanted to I would be getting out. Because everything is under your name, you know it. But even though I know it's under your name, I have never said that they are yours. What I have said is that I know nothing; that I work with the Papayas, nothing else..

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(Written)

(Top page is somewhat cut, but it seems to say)

It serves us no good for both of us to be incarcerated, but I don't know what to think, I think about what I told you, that if one gets out the other one will get out sooner (hard to understand writing) Think about it, study what I told you (unreadable).

But whatever you want, but I think that it would be best to free me because that way I can help you until you get out. But right now I don't know, what do you think. But I am staying strong with you and I think you are my friend but I don't know, what do you think. But if you think that I am that person who was saying those things, but I will tell you I did not talk a lot; because (word is cut off) wants (unreadable) well there we are. Forgive me for telling you this but I got very angry when I found out you had said that, but if you did not, then forgive me Neto.

Ali right Neto, I promise you that if you help me get out, I too will help you and anyone you have on the outside. If you want a helping hand, I want you to know that I am a friend's friend. And if not, I want you to know that I am not scared of being here. Well you decide, think about it and let me know what you think. If we're (word is cut off), they don't have us together, but whatever you want, I want it, but I want to know what you think.

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All right Neto, forgive me if it's not true what I found out. Call me or write to let me know. I am in room 109. I will be waiting for your call tomorrow Friday at 6:00 PM. In room #109.
Good bye
Your friend.

CC: FILES/RA, KK

EXHIBIT 1
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BUREAU OF ALCOHOL TOBACCO AND FIREARMS • CITY AND COUNTY PROSECUTING ATTORNEY'S OFFICE • DRUG ENFORCEMENT ADMINISTRATION • FEDERAL BUREAU OF INVESTIGATION • HAWAII NATIONAL GUARD • HAWAII POLICE DEPARTMENT • HAWAII STATE DEPARTMENT OF PUBLIC SAFETY • HONOLULU POLICE DEPARTMENT • IMMIGRATION AND NATURALIZATION SERVICE • INTERNAL REVENUE SERVICE • KAUAI POLICE DEPARTMENT • MAUI POLICE DEPARTMENT • UNITED STATES ATTORNEY'S OFFICE • UNITED STATES CUSTOMS SERVICE • UNITED STATES POSTAL SERVICE • WESTERN STATES INFORMATION NETWORK • NAVAL CRIMINAL INVESTIGATIVE SERVICE • UNITED STATES COAST GUARD • UNITED STATES MARSHALS SERVICE

HAWAII HIGH INTENSITY DRUG TRAFFICKING AREA